

**REMARKS**

The application has been amended so as to place the application in condition for allowance at the time of the next Official Action.

The specification is amended to include section headings to address the specification objection noted in the Official Action. The specification is further amended to correct a typographical error.

Claims 1-13 were previously pending in the application. Claim 2 is canceled; leaving claims 1 and 3-13 for consideration.

Applicant notes with appreciation the indication that claims 7-9 and 13 are allowable. In reliance thereon, claim 7 is rewritten in independent form.

Claim 10 is amended to provide proper antecedent basis for the recited "fixing".

Claims 3-13 are amended to change "characterized in that" to "wherein" to address the claim objection noted in the Official Action. Accordingly, the claim objections are believed addressed and withdrawal of the same is respectfully requested.

Claim 5 is amended to remove the phrase "may be" and claim 7 is amended to clarify that the recited "essentially plane and rigid", refer back to the lateral surfaces. Claim 11 is amended so as to clarify that when the water is in the basin the first sheet contains a curved shape and the tension in the sheet is balanced at least in part by the hydrostatic pressure of the

water contained in the basin. In view of these amendments, it is believed that the 35 USC §112, second paragraph rejections are addressed and reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1-6, 10 and 11 were rejected under 35 USC §102(b) as being anticipated by BARBER 5,536,210. That rejection is respectfully traversed.

Claim 1 is amended to include the subject matter of claim 2 and to clarify that the basin is structured and arranged to contain water and recites that the overflowing channel is adapted to contain enough water to work as an accumulation and compensation basin for the swimming pool.

The Official Action indicates that element 26 of BARBER is a waterproof sheet comprising a basin and that element 10 is the overflowing channel.

However, the above characterization of BARBER is inconsistent with the disclosure of this reference.

BARBER is directed to an amusement apparatus wherein the central portion 26 is either a cement base or the ground in order to anchor the hydraulic cylinders 22 and 24. See column 2, lines 28-30 of BARBER. Flume 10 is arranged around base 26, but is the only part of the device of BARBER that contains water. That is, base 26 is not designed to contain water.

Rather, as seen in Figure 2 of BARBER, the entirety of the water is within flume 10. BARBER does not disclose or suggest a

basin structured and arranged to contain water and an overflowing channel adjacent to said basin adapted to contain enough water to work as an accumulation and compensation basin for the swimming pool. Accordingly, BARBER does not meet present claim 1 and the claims that depend therefrom.

Claim 4 is rewritten in independent form and recites a filtering sheet placed in the overflowing channel between the water level of the basin and the water level of the channel so as to realize a gravity filter for the water flowing from the basin into the channel.

As set forth above, there is no water in the area 26 designated as a basin in the Official Action. Rather, such area is the ground or a concrete structure acting as a rigid base. Thus, element 28 of BARBER, noted in the Official Action, is not a gravity filter that filters water flowing from the basin into the overflowing channel.

Moreover, the metal floor 28 of BARBER is used to support the vessels 32 in BARBER and the water flows both upward and downward through this floor in a wave-like manner and does not flow from the basin into the channel so as to realize a gravity filter.

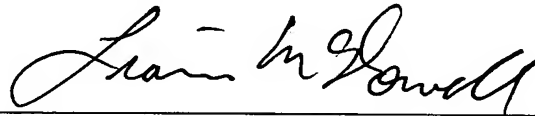
As the reference does not disclose in as much detail that which is recited, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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